

Case 1:04-cr-10129-RCL Document 106 Filed 05/08/2007 Page 1 of 2  
U.S. Department of Justice  
United States Marshals Service

PROCESS RECEIPT AND RETURN

|  |   |   |                                    |   |                              |                  |
|--|---|---|------------------------------------|---|------------------------------|------------------|
| PLAINTIFF<br>UNITED STATES OF AMERICA  |   | COURT CASE NUMBER<br>CR No. 04-10129-RCL              |                                    |   |                              |                  |
| DEFENDANT<br>MARK A. MCARDLE   |   | TYPE OF PROCESS<br>PRELIMINARY ORDER<br>OF FORFEITURE |                                    |   |                              |                  |
| SERVE<br>AT  | PUBLICATION   |   |                                    |   |                              |                  |
|  | ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code) |   |                                    |   |                              |                  |
| SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:   |   | Number of process to be served with this Form - 285   |                                    |   |                              |                  |
| Kristina E. Barclay, Assistant U.S. Attorney<br>United States Attorney's Office<br>John Joseph Moakley United States Courthouse<br>1 Courthouse Way, Suite 9200<br>Boston, MA 02210  |   | Number of parties to be served in this case           |                                    |   |                              |                  |
|  |   | Check for service on U.S.A.                           |                                    |   |                              |                  |
| SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)  |   |   |                                    |   |                              |                  |
| Please publish the attached Notice of Order of Forfeiture at least once for three (3) successive weeks in the <u>Manchester Union Leader</u> or any other newspaper of general circulation in the District of New Hampshire, in accordance with the attached Preliminary Order of Forfeiture and applicable law.   |   |   |                                    |   |                              |                  |
| LJT x3283  |   |   |                                    |   |                              |                  |
| Signature of Attorney or other Originator requesting service on behalf of:<br><i>Kristina E. Barclay</i>   |   | TELEPHONE NUMBER<br>(617) 748-3100                    | DATE<br>March 16, 2007             |   |                              |                  |
| <input checked="" type="checkbox"/> PLAINTIFF<br><input type="checkbox"/> DEFENDANT  |   |   |                                    |   |                              |                  |
| SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE  |   |   |                                    |   |                              |                  |
| I acknowledge receipt for the total number of process indicated.<br>(Sign only first USM 285 if more than one USM 285 is submitted)  | Total Process<br>No. <u>1</u>                                     | District of Origin<br>No. <u>38</u>                   | District to Serve<br>No. <u>49</u> | Signature of Authorized USMS Deputy or Clerk<br><i>Mary A. May</i>  | Date<br><u>3/21/07</u>       |                  |
| I hereby certify and return that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below. |   |   |                                    |   |                              |                  |
| <input type="checkbox"/> I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).   |   |   |                                    |   |                              |                  |
| Name and title of individual served (If not shown above).  |   |   |                                    | <input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode. |                              |                  |
| Address (complete only if different than shown above)  |   |   |                                    | Date of Service<br><u>4/27/07</u>   | Time<br>am<br>pm             |                  |
|  |   |   |                                    | Signature of U.S. Marshal or Deputy<br><i>Kate J. Brand</i>   |                              |                  |
| Service Fee  | Total Mileage Charges<br>(including endeavors)                    | Forwarding Fee  | Total Charges                      | Advance Deposits  | Amount Owed to US Marshal or | Amount of Refund |
| REMARKS: <i>Legal Notice published in Union Leader on April 4, 11, &amp; 18 of 2007.</i>   |   |   |                                    |   |                              |                  |

PRIOR EDITIONS MAY  
BE USED

1. CLERK OF THE COURT

FORM USM 285 (Rev. 12/15/80)

☐ USMS RECORD ☐ NOTICE OF SERVICE ☐ BILLING STATEMENT ☐ ACKNOWLEDGMENT OF RECEIPT

**Legal Notice****UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS, ss.  
NOTICE OF ORDER OF FORFEITURE  
Criminal No. 04-10129-RCL**

United States of America, District of Massachusetts, at Boston, Massachusetts, February 21, 2007.

Notice is hereby given that a Preliminary Order of Forfeiture has been entered in the United States District Court against the interests of Defendant Mark McArdle, in the following real property, pursuant to Title 21, United States Code, Section 853:

a. the real property located at 10 Jana Lane, Stratham, New Hampshire (the "Jana Lane Property").

Upon adjudication of all third party interests, the United States of America intends to dispose of the Jana Lane Property in accordance with the law.

Pursuant to 21 U.S.C. § 853(n) (2) and (3), any person, other than the Defendant, having or claiming to have a legal interest in the Jana Lane Property may, within thirty (30) days of the final publication of notice or receipt of this notice, whichever is earlier, petition the Court for a hearing to adjudicate the validity of the petitioner's alleged interest in the Jana Lane Property. The petition must be filed with the United States District Court for the District of Massachusetts and served upon the United States Attorney's Office, Asset Forfeiture Unit, 1 Courthouse Way, Suite 9200, Boston, Massachusetts 02210, within the thirty (30) day period provided under 21 U.S.C. § 853 (n). The petition shall be signed by the petitioner under the pains and penalties of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited Jana Lane Property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the petitioner's claim, and the relief sought. Upon adjudication of all third party interests, the Court will enter a Final Order of Forfeiture, pursuant to 21 U.S.C. § 853, in which all such interests will be addressed.

YVONNE N. BONNER

ACTING UNITED STATES MARSHAL  
DISTRICT OF MASSACHUSETTS

I hereby certify that the (UL - April 4)

in The Union

Leader and/or New Hampshire Sunday News, newspapers printed at Manchester, N.H., by the Union Leader Corporation on the following dates, viz: April 4, 11, 18, 2007.

(Signed)

Christine Rhealme

UNION LEADER CORPORATION

State of New Hampshire,  
Hillsborough, SS.

(Dated)

April 20, 2007.

Subscribed and sworn to by the said

Christine Rhealme

THERESE M. LANDRY NOTARY PUBLIC  
My Commission expires January 21, 2012

Before me,

Therese M. Landry

Notary Public